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LEGISLATIVE SUPPLEMENT

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PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 3rd January, 2022

No.1-Leg./2022.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 29th day of December, 2021, is hereby published for general information:-

**THE PUNJAB RIGHT TO BUSINESS (AMENDMENT)
ACT, 2021**

(Punjab Act No. 1 of 2022)

AN

ACT

further to amend the Punjab Right to Business Act, 2020.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Right to Business (Amendment) Act, 2021. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Right to Business Act, 2020 (hereinafter referred to as the principal Act), in section 2,- Amendment in section 2 of Punjab Act 1 of 2020.

(i) after clause (g), the following clause shall be inserted, namely:-

"(ga) "Eligible Enterprise" means new Enterprise or Existing Enterprise undertaking expansion provided the Enterprise going for expansion does not have any violations under the relevant Acts; "; and

(ii) after clause (h), the following clause shall be inserted, namely:-

"(ha) "Existing Enterprise" means an Enterprise that has commenced commercial production or operations at the time of submitting the Declaration of Intent;"

Amendment in section 3 of Punjab Act 1 of 2020. 3. In the principal Act, in section 3, in sub-section (1), in clause (iii), for the words "the others members of the Enterprise", the words "the other members of the District Bureau of Enterprise" shall be substituted.

Substitution of section 7 of Punjab Act 1 of 2020. 4. In the principal Act, for section 7, the following section shall be substituted, namely:-

Filing of Declaration of Intent.

"7. The Eligible Enterprise willing to avail the Certificate of In Principle Approval, shall furnish to the District Nodal Agency a Declaration of Intent in the format and in the manner as may be prescribed."

Amendment in section 8 of Punjab Act 1 of 2020. 5. In the principal Act, in section 8,-
(i) in sub-section (3), for the words and sign "a new Micro, Small and Medium Enterprises being set up in the State", the words "Eligible Enterprise" shall be substituted;
(ii) in sub-section (6), for clause (b), the following clause shall be substituted, namely:-
"(b) The Inspecting Officer or the team of inspecting officers not below the rank of Joint Director shall be nominated by the Head of the concerned authority.";
(iii) in clause (c), for the words "forty-eight hours", the words "forty-eight working hours" shall be substituted; and
(iv) in sub-section (7), for the word "btain", the word "obtain" shall be substituted.

Amendment in section 10 of Punjab Act 1 of 2020. 6. In the principal Act, in section 10,-
(i) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

"(1) For Eligible Enterprise being set up or operational in Approved Industrial Park(s), the District Nodal Agency, upon receipt of a Declaration of Intent, shall forthwith, issue a Certificate of In Principle Approval within three working days to new Enterprise and within five working days to Existing Enterprise.

(2) For Eligible Enterprise being set up or operational outside the approved Industrial Park(s) and on areas, approved under the relevant master plan, the decision to issue a Certificate of In Principle Approval shall be taken by the District Nodal Agency within a period of fifteen working days for new Enterprise and within twenty working days for Existing Enterprise in accordance with the procedure as may be prescribed."; and

(ii) after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) The District Nodal Agency may appoint an officer of the department concerned to inspect the Enterprise undertaking expansion before issuing a Certificate of in Principal Approval. The inspection report shall be made available to the District Nodal Agency within forty-eight working hours after the inspection.".

S.K. AGGARWAL,

Principal Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.